

Express Mail Label No.: EV 292 462 829 US

DOCKET NO: S1022.81113US00

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: S1022.81113US00
Serial No: Unassigned
Confirmation No: Unassigned
Filed: Herewith
For: HETEROATOMIC SINGLE-CRYSTAL LAYERS

Examiner: Unassigned
Art Unit: Unassigned

Mail Stop Patent Application

Commissioner for Patents

P.O. Box 1450

Alexandria, VA 22313-1450

STATEMENT FILED PURSUANT TO THE DUTY OF
DISCLOSURE UNDER 37 CFR §§1.56, 1.97 AND 1.98

Sir:

Pursuant to the duty of disclosure under 37 C.F.R. §§1.56, 1.97 and 1.98, the Applicant requests consideration of this Information Disclosure Statement.

PART I: Compliance with 37 C.F.R. §1.97

This Information Disclosure Statement has been filed within three months of the filing date of a National Application other than a continued prosecution application under 37 C.F.R. §1.53(d). No fee or certification is required.

PART II: Compliance with 37 CFR §1.704(d)

Each item of information contained in this Information Disclosure Statement was first cited in a communication from a foreign patent office in a counterpart application and this communication was not received by the office of the undersigned more than 30 days prior to filing of this Information Disclosure Statement.

PART III: Information Cited

The Applicant hereby makes of record in the above-identified application the information listed on the attached form PTO-1449 (modified). The order of presentation of the references should not be construed as an indication of the importance of the references.

The Applicant hereby makes the following additional information of record in the above-identified application.

The examiner's attention is hereby drawn to the attached French Search Report. As shown in the patent family search attached to the search report, U.S. Patent Nos. 5,158,907 and 5,285,086 correspond to document EP 0 469 790, cited in the French Search Report.

PART IV: Remarks

A copy of any document cited anywhere in the Information Disclosure Statement is enclosed unless otherwise indicated. It is respectfully requested that:

1. The Examiner consider completely the cited information, along with any other information, in reaching a determination concerning the patentability of the present claims;
2. The enclosed form PTO-1449 be signed by the Examiner to evidence that the cited information has been fully considered by the Patent and Trademark Office during the examination of this application;
3. The citations for the information be printed on any patent which issues from this application.

By submitting this Information Disclosure Statement, the Applicant makes no representation that a search has been performed, of the extent of any search performed, or that more relevant information does not exist.

By submitting this Information Disclosure Statement, the Applicant makes no representation that the information cited in the Statement is, or is considered to be, material to patentability as defined in 37 C.F.R. §1.56(b).

By submitting this Information Disclosure Statement, the Applicant makes no representation that the information cited in the Statement is, or is considered to be, in fact, prior art as defined by 35 U.S.C. §102.

Attorney's
Docket No.: S1022.81113US00

Express Mail Label No.: EV 292 462 829 US
-3-

Notwithstanding any statements by the Applicant, the Examiner is urged to form his or her own conclusion regarding the relevance of the cited information.

An early and favorable action is hereby requested.

Respectfully submitted,

By: 

James H. Morris, Reg. No. 34,681
Wolf, Greenfield & Sacks, P.C.
600 Atlantic Avenue
Boston, Massachusetts 02210-2211
Telephone: (617) 720-3500

Docket No. S1022.81113US00
Date: April 1, 2004

FORM PTO-1449/A and B (Modified) INFORMATION DISCLOSURE STATEMENT BY APPLICANT				APPLICATION NO.: Unassigned		ATTY. DOCKET NO.: S1022.81113US00	
				FILING DATE: Herewith		CONFIRMATION NO.: Unassigned	
				APPLICANT: S1022.81113US00			
				GROUP ART UNIT: Unassigned		EXAMINER: Unassigned	
Sheet	1	of	1				

U.S. PATENT DOCUMENTS

Examiner's Initials	Cite No.	U.S. Patent Document		Name of Patentee or Applicant of Cited Document	Date of Publication or of issue of Cited Document MM-DD-YYYY
		Number	Kind Code		
		5,158,907		Fitzgerald, Jr.	10/27/92
		5,285,086		Fitzgerald, Jr.	02/08/94
		4,396,929		Ohki et al.	08/02/83
		US2002/008241	A1	Edmond et al.	01/24/02
		5,279,687		Tuppen et al.	01/18/94
		4,806,996		Luryi	02/21/89
		5,981,400		Lo	11/9/99

FOREIGN PATENT DOCUMENTS

Examiner's Initials	Cite No.	Foreign Patent Document			Name of Patentee or Applicant of Cited Document (not necessary)	Date of Publication of Cited Document MM-DD-YYYY	Translation (Y/N)
		Office/Country	Number	Kind Code			

OTHER ART — NON PATENT LITERATURE DOCUMENTS

Examiner's Initials	Cite No	Include name of the author (in CAPITAL LETTERS) title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, relevant page(s), volume-issue number(s), publisher, city and/or country where published.	Translation (Y/N)	
		French Search Report from French Patent Application No. 03/04152, filed April 3, 2003		
		Patent Abstracts of Japan, vol. 2003, no. 04, April 2, 2003 & JP 2002 359189 A (Mitsubishi Materials Silicon Corp.; Mitsubishi Materials Corp.), December 13, 2002		
		Patent Abstracts of Japan vol. 011, no. 031)E-475), January 29, 1987 & JP 61 198713 A (Fujitsu Ltd.) September 3, 1986		

EXAMINER	DATE CONSIDERED
----------	-----------------

#EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.